

Official Minutes for Webb County Commissioners Court Special Meeting

Tuesday, August 31, 2004 at 1:00 PM
(Approved 09-13-2004)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

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| Louis H. Bruni | County Judge |
| Jerry Vasquez | Commissioner, Pct. 1 |
| Judith Gutierrez | Commissioner, Pct. 2 |
| Felix Velasquez | Commissioner, Pct. 3 |
| David Cortez | Commissioner, Pct. 4 |

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 27th of August 2004. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by All

- Item No. 4 Communications

Cmr. Cortez congratulated Mr. David Piton and Mr. Steve Landin on their recent promotions within the Laredo Fire Department. He stated that everyone was in good hands with them in charge.

Cmr. Velasquez stated that a golf course committee was appointed at a previous meeting and hoped that the chairman of the committee (Judge Bruni's appointee) can schedule a meeting at their earliest convenience.

Judge Bruni advised Mr. Raul Casso to contact the committee members to schedule a meeting at the earliest date that they would be available.

Cmr. Gutierrez spoke to the Court regarding an editorial that was in the Laredo Morning Times on August 26th which was titled "No Tax Increase but Taxpayers Will Be Paying More" in which the writer stated that tax shifts are allowed at the local

level. The writer also expressed concerns about local governments having to subsidize unfunded state mandates.

Mr. Vasquez stated that the only alternatives available when there is a smaller revenue stream is to raise taxes or cut spending. He hoped that the court will be able to cut spending. He stated that bigger government was not better government.

Judge Bruni stated that it was always his position to not raise taxes but does not feel that lowering taxes is the long term solution. He stated that it was a disservice to lower taxes knowing that they would have to be raised in the future. He also congratulated Mr. Piton and Mr. Landin on their new appointments.

Item No. 5 Public Comment

Judge Bruni stated that comments would be taken but that the items would not be moved up.

Ms. Moreno Cantu was present to address Item No. 8. She stated that she was denied assistance by Mr. Frank X. Salinas, IHC Interim Director. She stated that she was in dire need of heart surgery and medications but was told by Mr. Salinas to look for assistance elsewhere. She stated that she felt humiliated by Mr. Salinas and that he was not the right person for the job.

Ms. Mary Franco was present to address Item No. 8. She stated that people should not be discriminated against, embarrassed or humiliated when they go and ask for assistance. She stated that the person who is in charge of that department should be there to help and not make racist comments against those requesting assistance. She stated that everyone should be treated with respect and honor and that no one deserved to be treated in the manner that Ms. Cantu was treated. She stated that according to state guidelines, an applicant did not need to be a legal resident and must only show intent to stay/reside in the county where assistance is being requested.

Ms. Margie Ramirez Ibarra, Webb County Clerk, was present to address Item No. 28 through No. 31 and No. 60. She requested that these items be taken together and advised the court that Mr. Scott Fausto and Mr. Del Holzer from Landata Technologies, Inc. were present to address the court if they had any concerns.

Item No. 6 Status report on Sheriff's Communication Tower located on HWY 83 North and servicing Road & Bridge; Engineering; County Attorney; District Attorney; Maintenance; and, Utilities Department.

Mr. Tomas Rodriguez, County Engineer, stated that an RFP (Request for Proposal) has been prepared but was advised by Mr. Juan Vargas, Economic Development Director, that there may be some grant monies available for this project. He stated that he would bring more information to the court in two meetings. He

recommended that the RFP's for this project be requested for the construction of a new tower or to amend the current contract to meet existing needs. Judge Bruni stated that tower was 35 years old and had an expected life span of 20-25 years. He stated that it would be detrimental to the county if this tower were to collapse. Mr. Mario G. Cavazos, Radio Communications Director, stated that 19 public safety departments and 5 non-law enforcement department operate under the current system. He stated that it was fortunate that the tower has lasted as long as it has. He stated that it was not only the tower that needed to be replaced but the generator, the building and other components that were installed at the same time as the tower in 1970-1971. He stated that he has been given the okay by the FAA and FCC to construct a new tower, which would be approximately \$18,000, including the building, tower and other components. Judge Bruni stated that he would place an item on the next agenda to go out for RFP's.

- Item No. 7 Discussion and possible action to approve a resolution authorizing and establishing salaries for election day presiding judges and clerks pursuant to Section 32.091 (a) and 32.093 (1), Texas Election Code; and, establishing the maximum number of election day clerks for each election precinct pursuant to Section 32.033, Texas Election Code, for the November 2, 2004 general election.

Cmr. Cortez motioned to set the clerks' salaries at \$8.25 per hour and the judges' salaries at \$9.25 per hour. Cmr. Velasquez seconded the motion with discussion.

Mr. Oscar Villarreal, Interim Elections Administrator, stated that there were enough monies to cover the increase in salaries for judges and clerks.

Motion carried 5-0 by unanimous consent.

- Item No. 8 Discussion and possible action to interview the applicants for, and the appointment of, the Indigent Health Care Director.

The following persons were interviewed for the position of Indigent Health Care Director:

Cmr. Velasquez stated that he meant no disrespect for the applicants present but that he made his decision clear several months ago and would remain consistent in his belief.

Ms. Elida Garcia

Ms. Garcia stated that she worked with the Indigent Services Department (formerly Welfare Department) from September 1986 to December 1996, under Mr. Ricardo Garcia. She stated that when Mr. Garcia passed away, she took over the duties of director but was never appointed interim director. She stated that she was employed there when the Indigent Services Program was first implemented. She is currently

employed as a social caseworker with the Catholic Social Services. She stated that she only had a high school education and no other formal education.

Cmr. Vasquez questioned Ms. Garcia regarding the possibility of having a member of the court telling her how to run the department and who to approve for services regardless of whether they qualify.

Ms. Garcia stated that some compromises would need to be made to make the department work and that if someone did not qualify for services there were many other alternatives available to help them.

Ms. Alice Medina

Ms. Medina stated that she was presently employed as the Administrative Assistant for Cmr. Judith Gutierrez, Pct. 2. She has a Bachelor of Arts in History with a minor in Business Administration. She has experience working in Home Health Care, medical billing and as an assistant office manager. She stated that by working with Cmr. Gutierrez, she has been able to speak with the constituents who have told her that change is needed in the Indigent Services Department and she feels that she is capable of running the department.

Cmr. Gutierrez stated that Ms. Medina is an excellent employee and goes over and beyond the call of duty and has a strong work ethic.

Cmr. Vasquez stated that Ms. Medina was a great asset to the Commissioners Court and is extremely knowledgeable and talented. He also questioned Ms. Medina regarding the possibility of having a member of the court telling her how to run the department and who to approve for services regardless of whether they qualify.

Ms. Medina stated that she would need to follow state mandated laws but would look into other entities that may be able to provide services to those who do not qualify for the program.

Cmr. Velasquez shared the accolades given by Cmr. Gutierrez and Cmr. Vasquez and felt that Ms. Medina was a very pleasant person to work with but also felt that Mr. Frank X. Salinas, IHC Interim Director, deserved a chance to lead the program and will remain consistent with his decision.

Ms. Medina stated that she loves her present job but felt the need to move up professionally and that she had the experience needed for that job.

Mr. Frank X. Salinas, IHC Interim Director

Mr. Salinas stated that the main reason for the department going over budget during the last budget cycle was because there was no way to track how much monies were still outstanding. He stated that the "open" voucher has been replaced with one that has a monetary value assigned. He stated that by doing this, the department will not go over budget since they will be tracking the monies that are being spent. He

stated that he advised Mr. Raul Casso, Mr. Jorge Flores and Mr. Homero Ramirez in May of last year that the department would be going over budget but that Ms. Mattie Smith-Gomez, former IHC Director, stated that they would stay within their budget. In June of that year, Ms. Smith-Gomez came before the court to request additional monies since they would be going over budget. He stated that a Deputy Director is needed in the department due to the additional accountability and monitoring that is needed to track the vouchers as well as to review and approve applications for assistance.

Cmr. Gutierrez questioned why these measures to monitor spending were not put in place before going over budget. She also stated that the manner in which department heads treated people reflected on the Court and that people should be treated with respect and dignity.

Mr. Salinas stated that he advised Ms. Smith-Gomez and that everyone has always been treated with respect and dignity.

Judge Bruni questioned whether Mr. Salinas felt a responsibility to come before the court when he felt that they would be going over budget.

Mr. Salinas stated that he advised Ms. Gomez-Smith as well as Mr. Casso, Mr. Flores and Mr. Ramirez.

Mr. Raul Casso, Chief of Staff, stated that he had met with Ms. Smith-Gomez and Mr. Salinas regarding concerns that they would go over budget but that the exact numbers were not known at the time. He stated that after meeting with Ms. Smith-Gomez as well as the County Auditor and other persons, he was advised by Ms. Smith-Gomez that she had devised a plan to curb spending and would not go over budget. He stated that Mr. Salinas then came to him and apologized for going over Ms. Smith-Gomez but that the department would go over budget. He stated that Ms. Smith-Gomez resigned before this item was brought before the court. He stated that Mr. Salinas has followed the controls that were put in place.

Mr. Jorge Flores, Interim Risk Manager, stated that he was advised by Mr. Salinas that the department would go over budget and that the amount of monies being spent confirmed that they would go over budget. He stated that an excellent system has been put in place which was fine-tuned by Ms. Christy Camacho from M.I.S.

Mr. Carlos Villarreal, Court Executive Administrator, stated that he advised Ms. Smith-Gomez that failure to control the department budget would be grounds for dismissal. He stated that Mr. Salinas has done a good job in controlling the expenditures.

Mr. Velasquez stated that a lot of blame has been thrown around regarding this item. He stated that when Ms. Smith-Gomez was questioned regarding the over spending, she stated that it was because the court did not budget appropriately for the department. He stated that he supported the "Gatekeeper System" and though he has some reservations, he supports Mr. Salinas' appointment.

Cmr. Vasquez motioned to appoint Ms. Alice Medina as Indigent Health Care Director. Cmr. Gutierrez seconded the motion.

Motion carried 3-2 with Cmr. Velasquez and Cmr. Cortez voting against.

BREAK (2:34 pm to 2:48 pm)

Mr. Nathan Bratton, Assistant County Attorney, clarified for the court that Ms. Medina's appointment is effective immediately and Mr. Salinas is therefore terminated. He stated that it would be up to Ms. Medina whether he would continue working in that department.

Item No. 9 Discussion and possible action to obtain the services of Texas Association of Counties to assist in the creation of a Human Resource Office.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Status report on the operation of the temporary morgue and discussion of plans for the permanent morgue

Mr. Tomas Rodriguez, County Engineer, stated that the temporary morgue located at the old detention center site was built two years ago for the reason that the previous morgue located at the old airport was a liability to the county. He stated that the court approved \$300,000 for this project, of which \$140,000 was spent. He also stated that in the 2001 Bond Series, the court approved \$1.5 million for the construction of the new morgue, of which \$200,000 has been spent. Cmr. Cortez stated that there had been talks of moving the morgue to the CRTC Building on Zapata Hwy, which the county still has to pay approximately \$1 million for. Mr. Leo Flores, County Auditor, stated that from the 2001 Bond Series \$1.5 million was set aside for the construction of a new morgue. He stated that the property, which has a debt of approximately \$970,000, belongs to the County but needs to be deeded over from Facilities Corporation. He stated that it would be possible to pay off debt or refinance and use remaining monies to refurbish the building to make it functional as a morgue. He stated that it makes financial sense to remodel a building versus constructing a new one. He stated that it would still need to be discussed with the bond company whether it would be possible to use the monies for that purpose. Cmr. Gutierrez stated that it was a good idea but that the court needed to address the residents of that area due to the operations of a morgue. She inquired whether it would be possible to self-contain the premises of the morgue. She also requested that the county look into the possibility of operating a cemetery due to the rising cost of indigent burials.

Item No. 11 Discussion and possible action to adopt a schedule for a budget workshop, adoption of the budget and adoption of the tax rate at the courts regular meeting of September 13, 2004.

Ms. Patricia Barrera, County Tax Assessor Collector, stated that she needed to be sure of date due to publication requirements. Mr. Raul Casso stated that he needed to know whether the court would be holding budget workshops before the 13th.

Judge Bruni motioned to adopt the schedule submitted and to hold a budget workshop on the 9th at 1:00 pm. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Patricia Barrera, County Tax Assessor Collector, urged the court to adopt the budget and tax rate on the 13th to give her ample time to print out tax notices and mail them out before the 30th. Cmr. Cortez requested that Ms. Barrera bring the court figures as to what the impact would be if the 3% discount were changed to 2% or 1%.

Judge Bruni motioned to move up Item No. 34, No. 35 and No. 36. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34 Discussion to advise the Commissioners Court of the following changes to our 2003-2004 Budget. Line-item transfer of \$2,500.00 from general funds account #001-1100-6022 (Professional Services) with a current balance of \$3,325.35 to 001-1100-6402 (Repairs & Maintenance) of Equipment) with a current balance of \$180.22 and transfer funds in the amount of \$1,000.00 from account #001-1100-6205 (Materials & Supplies) with a current balance of \$2,128.93, to account #001-1100-6403 (Repairs and Maintenance of vehicles).

Mr. Roberto Balli, Assistant District Attorney, stated that the line item transfer would be from the General Fund and was needed for different items.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 35 Discussion to advise the Commissioners Court of the following additions to the 49th District Attorney's Automobile Fleet to be used by

the DEA task Force Investigators attached to the District Attorney's Office. The vehicles are a 2002 Gold Ford Explorer VIN: 1FMZU63W32ZA55437 and a 2003 Silver/Gray Mitsubishi Montero VIN: JE4NW51S93J048960.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36 Discussion and possible action on the approval to grant the County Auditor, authority to expend funds from the Violence Against Women's Act Program, effective September 1, 2004, pending the receipt of all required grant documents and allocation.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Leo Flores, County Auditor, stated that the grant documents should be received within 30 days.

Motion carried 5-0 by unanimous consent.

Cmr. Velasquez motioned to move up Item No. 62 and go into Executive Session. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (3:14 pm to 3:25 pm)
(Please note that Cmr. Cortez did not go into Executive Session)

Judge Bruni reconvened the meeting and stated that absolutely no action was taken while in Executive Session.

Item No. 62 Consultation with County's attorneys and possible action regarding Webb County's International Bridge Project. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, recommended that the court proceed as discussed in Executive Session.

Cmr. Gutierrez motioned to accept counsel's recommendation. Judge Bruni seconded the motion.

Motion carried 4-0 with Cmr. Cortez abstaining.

Item No. 12 Discussion and possible action to approve the following line item transfers:

From:

| | | |
|---------------|-----------------------|------------|
| 227-1021-6001 | Office Supplies | \$1,000.00 |
| 227-1021-6005 | Postage | \$1,200.00 |
| 227-1021-6011 | Training & Education | \$1,200.00 |
| 227-1021-6205 | Materials & Supplies | \$1,000.00 |
| 227-1021-6402 | Repairs & Maintenance | \$3,000.00 |
| | | \$7,400.00 |

To:

| | | |
|---------------|-----------------------|------------|
| 227-1021-6022 | Professional Services | \$7,400.00 |
|---------------|-----------------------|------------|

Cmr. Gutierrez motioned to approve item as submitted. Judge Bruni seconded the motion.

Mr. Leo Flores, County Auditor, stated that the transfers would be for court appointed attorneys for the Drug Court.

Motion carried 5-0 by unanimous consent.

Item No. 13 Discussion and possible action to approve the following travel request for the 12th Annual South Texas Justice of the Peace and Constable Association Conference. Total travel cost is \$1,447.00 [Account #001-2500-6011 \$1,158.00 & 012-2500-6011 \$289.00].

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 14 Discussion and possible action to approve the following line item-transfer: from account #166-2985 Fund Balance \$8,000.00 to account #166-2500-6709 Drug/Crime Prevention Education.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 15 Discussion and possible action to reimburse the Laredo Community College police Academy an amount not to exceed \$8,000.00 for

training expenditures. [Account #166-2500-6709 Drug/Crime Prevention Education]

Mr. Leo Flores, County Auditor, stated that this would be strictly on a reimbursement basis and cannot advance the monies.

Cmr. Velasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 16 Discussion and possible action to approve the following line-item transfer:

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|-------|---------------|------------------|----------|
| From: | 001-2502-6014 | Equipment Rental | \$550.00 |
| To: | 001-2502-6224 | Minor Apparatus | \$550.00 |

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 17 Discussion and possible action authorizing the submission of a grant application to the Texas Department of Transportation, Grant Project 5310, for "Elderly and Persons with Disabilities Program Funding" requesting approximately \$45,000.00 to offset the cost of preventative maintenance for those vehicles used by the rural transportation program to transport elderly and disabled residents living in the rural areas of Webb County to and from their residences and any matters incident thereto. [Requested by the Community Action Agency Rural Transportation Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18 Discussion and possible action authorizing the submission of a grant application to the Texas Department of Transportation, Grant Project 5311, for "Non-urbanized Area Formula Program Grant Application" requesting approximately \$391,154.00 for rural transportation funding for the El Aguila Rural Transit and any matters incident thereto. [Requested by the Community Action Agency Rural Transportation Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 19 Discussion and possible action designating the site for posting public notices currently placed at the Webb County Courthouse Annex from said Courthouse Annex to the Webb County Justice Center and any matters incident thereto.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to enter into a Medical and Dental Health Services Agreement with Gateway Community Health Center for Children enrolled in the Webb County Head Start Program for a period of one year (October 1, 2004—September 30, 2005) at reduced fees as set forth in the agreements, authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Cortez abstaining.

- Item No. 21 Discussion and possible action to enter into non-financial interlocal cooperative agreements with the Laredo Community College, for the Child Development Department, beginning September 1, 2004 through August 31, 2006, and authorizing the County Judge to execute all relevant documents. [Account #227-1021-6402 Requested by Head Start]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 22 Discussion and possible action to enter into an equipment modification service contract with IBM at a cost not to exceed SIX HUNDRED DOLLARS (\$600.00), and authorizing the Webb County Judge to execute all relevant documents. IBM will be installing three (3) Modem Cable/1 PCT IOP Adapters at the Webb County Tax Assessors/ Collectors Office. [Requested by Webb County Tax Assessor/Collector Account No. 001-0700-6022]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 23 Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES 350 Digital Copier for the Drug Impact Court-49th Judicial District for an annual base rate of THREE HUNDRED DOLLARS (\$300.00) for a twelve month period (8/1/04 through 7/31/05) with copy overages invoiced at \$.0085 per print copy and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 24 Discussion and possible action to enter into an interlocal agreement with the City of Laredo for Health Services for the residents of Webb County for a one year period beginning October 1, 2004 through September 30, 2005 for an annual cost of \$175,000, and authorizing the County Judge to sign all relevant documents. (Account # 001-4300-7404 City Health Contract)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Mr. Santos Navarrette Jr., Assistant Director for the Health Department, stated that cost for previous years was \$158,400. He stated that the higher cost was due to the growth of the city as well as the additional security needed due to the housing of the Welfare (Indigent Services) Department in the building as well as the additional surveillance equipment used. He stated that the space for the Welfare Department has remained the same for the past years though the programs offered by the city have continued to grow.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to accept 4 rights of way, out of Pueblo Nuevo Subdivision, and 4 rights of way out of Laredo Ranchettes Subdivision, and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Discussion and possible action to enter into a Special Offer Amendment to Westlaw Subscriber Agreement with Thomson/West (QISV VID #1411426973201) in the amount of TWO THOUSAND FOUR HUNDRED SEVENTY-FIVE DOLLARS (\$2,475.00) per month from September 1, 2004 through August 31, 2005, for the first year with a Fifty Dollar per month increase the second year, a Fifty Dollar per month increase the third year and a Fifty Dollar per month increase for the fourth and final year and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to enter into maintenance agreement with IKON Office Solutions beginning March 22, 2004 and ending March 21, 2005 for an annual base rate of TWO THOUSAND THREE HUNDRED AND NINETY DOLLARS (2,390.00) with copy coverage invoiced at \$.016 per print copy and authorizing the County Judge to sign all relevant documents. [Requested by Planning Department]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Nathan Bratton, Assistant County Attorney, requested that Item No. 28 through No. 31 be moved to the end of the meeting after the Executive Session items.

Judge Bruni motioned to move Item No. 28 through No. 31 to the end of the meeting after the Executive Session items. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 32 Discussion and possible action to approve purchase TV/VCR/DVD from our capital outlay account # 660-1120-8801 items not on original request.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Ms. Margie Ramirez Ibarra, County Clerk, stated that this was needed since the TV and VCR that she has does not work and because the new Commissioners Court audio/video system will record the meetings on DVD. She stated that the cost would be approximately \$368.00.

Cmr. Velasquez stated that the item should be purchased from Small Equipment & Apparatus since Capital Outlay is typically for items over \$5,000.

Cmr. Velasquez retracted his second.

Cmr. Vasquez amended his motion to approve item from Small Equipment & Apparatus. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 33 Discussion and possible action to approve the following line item transfer:

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| From: #001-1120-5001 | Payroll | \$4,000.00 |
| To: #001-1120-5005 | Temporary Part-Time | \$4,000.00 |

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 37 Discussion and possible action to approve the acceptance of the Library Addition to the Larga Vista Community Center as recommended by the project Architect, Mr. Jose Calzada, Architectura S.A. and that all final bills and retainage be approved. (Account # 660-6110-8601 Construction in Progress)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Cortez stated that he received information regarding work done without court authorization. Mr. Tomas Rodriguez, County Engineer, stated that the letter in question was addressed to the architect advising him that he could not authorize additional work without court approval.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to extend the Webb County CAA Self-Help Center lease agreement from August 31, 2004 to September 30, 2004 at a cost of six-hundred (\$600.00) dollars and authorizing the County Attorney's Office to prepare the lease extension between Webb County and Ms. Graciela Rocha on the same terms and conditions as the existing lease and authorizing the County Judge to sign all relevant documents. The extension is needed due to delays on acquiring the final plat approval and electrical service connection; the extension will allow time for all utility services to be relocated / transferred to the new Self-Help Center. (Account # 504-6500-6012 Space Rental)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action authorizing the Engineering Department to hire one Civil Engineer, Bachelor of Science Degree (Engineer in Training) at \$40,000.00 per year and one Assistant Secretary at \$9.50 per hour, to assist the County Engineer in managing the design and construction phases of the Texas Department of Transportation Border Colonias Access Program.

Cmr. Cortez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that they will be applying for additional grant monies as well as additional funding for four years from the Texas Department of Transportation. Mr. Carlos Villarreal, Court Executive Administrator, stated that he has met with TX DOT who has indicated that this project has been falling behind.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action authorizing the transfer of funds for the Engineering Department Fund 010:

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|------------------|-----------------------|------------|
| From: #0115-5601 | Administrative Travel | \$2,400.00 |
| To: #0115-5005 | Temporary Part Time | \$2,400.00 |

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41 Discussion and possible action to approve the following line-item transfers:

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| From: | | |
| 001-6002-6204 | Fuel & Lubricants | \$ 2,000.00 |
| 001-6002-6403 | Repairs & Maintenance of Equipment | \$ 1,000.00 |
| 001-6002-5601 | Administrative travel | \$ 800.00 |
| 001-6002-6202 | Uniforms | \$ 1,000.00 |
| 001-6002-6703 | Landfill Fees | \$ 1,000.00 |
| 001-6002-6007 | Dues & Membership | \$ 200.00 |
| 001-0106-6502 | Janitorial Supplies | \$ 5,000.00 |
| 001-0106-6402 | Repairs & Maintenance of Equipment | \$ 4,000.00 |
| | | Total: \$15,000.00 |

| | | |
|---------------|-----------------------------------|--------------------|
| To: | | |
| 001-0106-6401 | Repairs & Maintenance of Building | \$13,000.00 |
| 001-0106-6204 | Fuel & Lubricants | \$ 1,700.00 |
| 001-0106-6001 | Office Supplies | \$ 300.00 |
| | | Total: \$15,000.00 |

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42 Discussion and possible action to fill slot #1695, 1700 3 hour substitutes and slot #1363 teacher assistant, effective August 23, 2004 thru May 27, 2005.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 43 Discussion and possible action to approve the revised Resolution authorizing the Juvenile Department to submit a grant application to

the Criminal Justice Division for a Juvenile Accountability Grant (JABG) in the amount of \$24,228.00 with match funds of \$2,692.00, designating the County Judge as the authorized official, and authorizing the authorized official to execute all forms relevant to said grant.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44 Discussion and possible action to approve the following line-item transfer in the amount of \$40.00 from account #010-0102-6205 (Materials & Supplies) to account #010-0102-6005 (Postage).

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to authorize the following line-item transfer to cover books and subscriptions through September 2004 and to pay for legal research services through September 2004.

| | | | |
|-------|---------------|-----------------------|----------|
| From: | 001-1102-6005 | Postage | \$100.00 |
| To: | 001-1102-6010 | Books & Subscriptions | \$100.00 |
| From: | 001-1102-6014 | Equipment Rentals | \$400.00 |
| To: | 001-1102-6010 | Books & Subscriptions | \$400.00 |
| From: | 001-1102-6018 | Transcripts | \$100.00 |
| To: | 001-1102-6010 | Books & Subscriptions | \$100.00 |
| From: | 001-1102-5602 | Local Mileage | \$ 50.00 |
| To: | 001-1102-6402 | Repairs & Maintenance | \$ 50.00 |
| From: | 001-1102-6011 | Equipment & Rentals | \$200.00 |
| To: | 001-1102-5022 | Professional Services | \$200.00 |
| From: | 001-1102-6900 | Expert Witness | \$100.00 |
| To: | 001-1102-5022 | Professional Services | \$100.00 |
| From: | 001-1102-6007 | Dues & Memberships | \$100.00 |
| To: | 001-1102-5022 | Professional Services | \$100.00 |

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46 Discussion and possible action to ratify the purchase of two (2) vans for the Webb County Colonia Community Centers from Philpott Motors Company in the amount of \$39,882.50, state contract #H-GAC bid VE10-30, funding through Texas Transportation Institute.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 47 Discussion and possible action to award/reject bid #2004-12 "Annual Contract for Bread" to Flowers Bakeries.
- Cmr. Vasquez motioned to award bid as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 48 Discussion and possible action to award or reject "Annual Contract for Ice" bid #2005-31 to Reddy Ice.
- Cmr. Vasquez motioned to award bid as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 49 Discussion and possible action to purchase the following for the Law Enforcement Center: (1) inmate uniforms in the amount of \$1,346.38 from Bob Barker from account #001-2062-6202 (2) Janitorial Supplies for the jail in the amount of \$5,823.95 from Star Janitorial from account #001-2062-6502 and (3) Office Supplies in the amount of \$1,147.78 from executive Office from account #001-2001-6205 for a grand total of \$8,318.11.
- Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 50 Discussion and possible action to purchase an IBM laptop with Powerpoint Presentation Software for a total amount of \$1,139.19 for Economic Development from account #463-2201-6224.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible to recycle or discard surplus and/or obsolete books as requested by the Law Library Director.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Ms. Rosie Cuellar Castillo, Law Librarian, stated that these books were replaced by newer editions. She stated that there was a possible liability to the county due to legal revisions if they were donated to another organization.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action to hire Sunbelt A/C & Refrigeration to install 3 relay contactors for A/C Fans, includes Labor and Materials for a total amount of \$1,500.00 for the Law Enforcement Center from account #001-2060-6401.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 53 Discussion and possible action to consider the recommendations to award the following annual contracts to the lowest bidders:

| | |
|---------|--|
| 2005-03 | "FLEXIBLE BASE 1 st Raymond Botello 2 nd Pete Gallegos |
| 2005-07 | "HEAVY EQUIPMENT PARTS" 1 st Holt Machinery 2 nd RDO Equipment 3 rd John S. Jacaman |
| 2005-14 | "JANITORIAL SUPPLIES" 1 st Star Paper & Janitorial Supplies 2 nd Gulf Coast Paper 3 rd Cavazos Candy |
| 2005-17 | "MAINTENANCE & SERVICE OF FIRES EXTINGUISHERS" 1 st All State Fire 2 nd Pro-Fire Protection |
| 2005-22 | "LIGHT BULBS" Grainger |

- 2005-26 "PLUMBING SUPPLIES"
 1st Clark Hardware
 2nd McCoy's
- 2005-37 "DIGITAL CELLULAR TELEPHONE SERVICE"
 Verizon
- 2005-38 "OFFICE SUPPLIES"
 1st Patria Office Supply
 2nd Executive Office Supply

Cmr. Vasquez motioned to award bids as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent. (Judge Bruni abstained from voting on Bid 2005-03 Flexible Base)

Item No. 54 Discussion and possible action to authorize the following line-item transfer:

| | | | |
|-------|---------------|---------------------------------|----------|
| From: | 001-6101-6402 | Repairs & Maintenance Equipment | \$600.00 |
| To: | 001-6101-6502 | Janitorial Supplies | \$600.00 |

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 55 Discussion and possible action to authorize the following line item transfer:

| | | | |
|---------------|----------------------------|-------|-------------|
| From: | | | |
| 817-0105-6022 | Professional Services | | \$20,000.00 |
| 817-0105-6033 | Bonds & Insurance | | \$ 5,000.00 |
| 817-0105-6044 | Third Party Administration | | \$ 5,000.00 |
| | | Total | \$30,000.00 |
| To: | | | |
| 817-0105-9201 | Claims Paid | | \$30,000.00 |
| | | Total | \$30,000.00 |

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Velasquez inquired about the number of projected claims to the end of the year. Mr. Jorge Flores, Interim Risk Manager, stated that there was a possibility that the department would go over budget on Claims Paid.

Motion carried 5-0 by unanimous consent.

Item No. 56 Discussion and possible action to amend fund 010, Road & Bridge Department, by allowing the transfer listed below:

| | | |
|-----------------|----------------------|------------|
| From: 7002-6205 | Materials & Supplies | \$2,000.00 |
| To: 7002-6014 | Equipment Rental | \$2,000.00 |

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 57 Discussion and possible action to approve the following expenditures:

| | |
|---------------------------------|-------------|
| Star Paper & Janitorial | \$ 1,175.19 |
| Mobile Vision | \$ 1,251.80 |
| Patria Office Supply | \$ 1,018.00 |
| Transcor | \$ 3,838.72 |
| American Sales & Kirkpatrick | \$ 3,111.70 |
| Bob Barker | \$ 1,975.00 |
| Brooks County | \$ 2,925.00 |
| Gulf Coast Paper | \$ 1,742.70 |
| Sysco Food | \$ 4,116.06 |
| Frio County | \$ 3,375.00 |
| Laredo Medical Center | \$33,661.09 |
| IBM Corporation | \$ 4,553.53 |
| Southwest Sound & Electric | \$ 1,265.00 |
| J. R. Martinez auto South, Inc. | \$ 1,100.00 |
| Mercy Health Center | \$16,184.20 |
| Travel - Juan Garza | \$ 398.29 |

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Ms. Ana McCoy, Sheriff's Department, stated that they were able to negotiate a lower payment for the Laredo Medical Center and Mercy Health Center claims shown. She stated that the claim for \$33,661.09 was reduced to \$25,246.00 while the claim for \$16,184.20 was reduced to \$12,138.15.

Cmr. Vasquez amended his motion to reflect the changes mentioned above. Cmr. Gutierrez amended her second.

Judge Bruni questioned whether there was a mechanism in place to scrutinize inmate hospital bills. Mr. Raul Casso, Chief of Staff, stated that there was a company that reviews employee medical claims and it was also done in the Indigent Health Care Program but that there was no mechanism in place to scrutinize inmate hospital claims.

Motion carried 5-0 by unanimous consent.

- Item No. 58 Discussion and possible action to approve the transfer of \$47.50 biweekly from slot #001-0300-0087 to slot #001-0300-0072 to bring over the "15 year incentive" that the employee earned.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Ms. Delia Perales, County Treasurer, stated that the employee in question was Mr. Louie Saucedo who was transferred from one slot to another within the department. She also stated that her monthly report was not presented at the prior meeting and was not placed on this agenda.

Motion carried 5-0 by unanimous consent.

- Item No. 59 Discussion and possible action authorizing the County Auditor to pay utility bills from Utilities Department fund balance (Fund 801), not to exceed \$25,000.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion with discussion.

Cmr. Velasquez stated that it was time to see if it would be more beneficial to switch utility providers. Mr. Tomas Rodriguez, County Engineer, stated that this was done approximately four years ago and the county saved 16%. He stated that it was possible to request bids for utility services. Mr. Eloy Ramirez, Purchasing Agent, stated that under the Texas Association of Counties, Webb County is part of a "power pool," thereby receiving a rate that is 4-5¢ cheaper.

Motion carried 5-0 by unanimous consent.

- Item No. 61 Discussion and possible action regarding Cause No. 2003-CVQ-001964-D2; Juanita Puente vs. Webb County; In the 111th Judicial District court of Webb County, Texas [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, stated that no action was needed on this item and there was no reason to go into Executive Session on this item.

Cmr. Gutierrez motioned to move into Executive Session on Item No. 60. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (4:07 pm to 5:20 pm)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 60 Discussion and possible action relating to the proposal and proposed contract from Landata Technologies for "Restoration and Preservation of Webb County Records" [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Nathan Bratton, Assistant County Attorney, stated he advised the court on concerns regarding the publication of the Public Notice as well as the contract presented by Landata Technologies. He also stated his concerns regarding a plan that named a specific vendor. He stated that monies cannot be expended without the court approval of the plan. Judge Bruni stated that this has been a long process and needs to have some closure on this item, though the public hearing must be held before the plan and contract can be approved. He stated that though the contract does not include a cancellation clause, it does not have much leeway, but action needs to be taken at the next meeting. He stated that it was vital to preserve the county's historical records. Mr. Bratton stated that he would like to negotiate the possible purchase of the software versus leasing as well as work with Ms. Margie Ramirez Ibarra, County Clerk, to re-word the plan to reflect the needs without naming a specific vendor. Ms. Margie Ramirez Ibarra, County Clerk, stated that the publication was posted by the County Attorney's office and shared concerns about why it was published if they felt that it would not meet the 15 day requirement. She stated that according to the Legislature, the County Clerk prepares the plan, not the County Attorney, since the County Clerk knows what is needed for that office. Judge Bruni advised Ms. Ibarra that he understood her frustrations and that a special meeting would be called once the notice has been published. Cmr. Cortez requested a cancellation clause that would be in favor of the County.

Cmr. Gutierrez motioned to table Item No. 60 pending proper publication of notice. Cmr. Velasquez seconded the motion.

Judge Bruni stated that a special meeting will be called after the Public Notice has been posted for the required 15 days.

Motion carried 5-0 by unanimous consent.

PUBLIC HEARING

Item No. 28 Plan by the Webb County Clerk for funding the preservation and restoration of the Webb County Clerk's records archive pursuant to Texas Local Government Code section 118.025

No action taken (Pending proper publication of notice)

Item No. 29 Plan by the Webb County Clerk for funding the automation projects and records management and preservation services performed by the Webb County Clerk pursuant to the Texas Local Government Code section 118.0216.

No action taken (Pending proper publication of notice)

CLOSE PUBLIC HEARING

Item No. 30 Discussion and possible action for approval of plan for funding the preservation and restoration of the county clerk's records archive presented at a public hearing by the Webb County Clerk pursuant to Texas Local Government Code section 118.025. [Account #001-0500-6010 Requested by Webb County Clerk]

No action taken (Pending proper publication of notice)

Item No. 31 Discussion and possible action for approval of plan by the Webb County Clerk for funding the automation projects and records management and preservation services performed by the Webb County Clerk pursuant to the Texas Local Government Code section 118.0216. [Account # 010-0102-6402 Requested by Webb County Clerk]

No action taken (Pending proper publication of notice)

Item No. 63 Adjournment

Comr. Velasquez motioned to adjourn meeting. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.